GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Environment, Forests, Science & Technology Department - Diversion of 65.95 ha (i.e. 65.71 ha in Narsipatnam + 0.24 ha in Paderu) of forest land in Narsipatnam and Paderu Divisions for Rehabilitation and Up-gradation to two lane with paved shoulder configuration of Koyyuru-Chaparathipalem-Lambasingi-Paderu section of NH-516E in the State of Andhra Pradesh in favour of Regional Officer, MoRTH, Vijayawada – Final approval accorded - Orders issued.

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (Section-II) DEPARTMENT

G.O.MS.No. 40 **Dated: 08-10-2024**

Read the following:-

1)From the PCCF & HoFF, A.P., Lr.Ref.No.EFS02- 15034/39/2021-FCASEC-PCCF/FCA-3, dated 22.03.2023.
2)State Govt.Lr.No.574/Sec.II/2023/2029147, E.F.S. & T. (Sec.II) Dept., dated 07.04.2023.
3)From the GoI, MoEF&CC, Sub-office at Vijayawada of Regional Office, Chennai, Lr.F.No.4-APA184/2022-VIJ/1019, dated 06.07.2023.
4)From the PCCF & HoFF, Lr.Ref.No.EFS02-15034/39/2021-FCA SEC-PCCF/FCA-3, dated 05.12.2023.
5)State Govt.Lr.No.574/Sec.II/2023/2029147, EFS&T (Sec.II) Dept., dated 23.01.2024.
6)From the GoI, MoEF&CC, Sub-office at Vijayawada of Regional Office, Chennai, Lr.F.No.4-APA209/2023-VIJ/211, dated 12.02.2024.

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ORDER:

In the letter first read above, the Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh, has submitted a proforma proposal for seeking prior approval of the Central Government under section-2 of Forest (Conservation) Act, 1980 for "diversion of 65.95 ha. of forest land in Narsipatnam and Paderu Divisions for Rehabilitation and Up-gradation to two lane with paved shoulder configuration of Koyyuru-Chaparathipalem-Lambasingi-Paderu section of NH-516E in the State of Andhra Pradesh in favour of Regional Officer, MoRTH, Vijayawada" and the said proposal has been sent to Government of India, Ministry of Environment & Forests, Sub-office at Vijayawada of Regional Office, Chennai to accord in-principle approval under section-2 of Forest (Conservation) Act, 1980 vide letter 2nd read above.

2. In the letter 3rd read above, the Government of India, Ministry of Environment & Forests, Sub-office at Vijayawada of Regional Office, Chennai have conveyed the in-principle approval (stage-I) under section-2 of Forest (Conservation) Act, 1980, for the proposal, subject to fulfillment of stipulated conditions therein.

3. In the letter 4th read above, the Principal Chief Conservator of Forests & Head of Forest Force has furnished in-principle approval compliance report for onward submission to the GoI, MoEF&CC, for according final approval under '2(1)' of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 to the above proposal and the same has been forwarded to the GoI, MoEF & CC, for grant of final approval to the proposal in the letter 5th read above.

4. In the letter 6th read above, the Government of India, Ministry of Environment, Forests & Climate Change, Sub-office at Vijayawada of Regional Office, Chennai, have conveyed the Central Government's approval (Stage.II) under section '2(1)' of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for "diversion of **65.95 ha (i.e. 65.71 ha in Narsipatnam + 0.24 ha in Paderu)** of forest land in Narsipatnam and Paderu Divisions for Rehabilitation and Up-gradation to two lane with paved shoulder configuration of Koyyuru-Chaparathipalem-Lambasingi-Paderu section of NH-516E in the State of Andhra Pradesh in favour of Regional Officer, MoRTH, Vijayawada, subject to certain conditions stipulated therein.

5. Government, after careful examination of the proposal, hereby accord permission to the Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh, for "diversion of **65.95 ha (i.e. 65.71 ha in Narsipatnam + 0.24 ha in Paderu)** of forest land in Narsipatnam and Paderu Divisions for Rehabilitation and Up-gradation to two lane with paved shoulder configuration of Koyyuru-Chaparathipalem-Lambasingi-Paderu section of NH-516E in the State of Andhra Pradesh in favour of Regional Officer, MoRTH, Vijayawada, subject to the following conditions:-

i. Legal status of the diverted forest land shall remain unchanged;
ii. Demarcation of the proposed forest area shall be carried out by erecting 4 feet high cement concrete pillars duly numbered at an interval of 20 meters at the cost of the User Agency;
iii. The State Forest Department shall carry out compensatory afforestation over an extent of 120.12 ha out of 147.26 ha (5 patches) degraded forest area identified in Araku and Pedabayalu Ranges as per the approved CA scheme at the cost of the User Agency;
iv. Identified CA area and CA scheme shall not be changed without prior approval of Central Government;
v. Additional amount of the Net Present Value (NPV) of the diverted forest land if any, becoming due after revision of the same by the Hon'ble Supreme Court of India in future, shall be charged by the State Government from the User Agency. The User Agency shall furnish an undertaking to this effect;
vi. **The State Forest Department / User Agency shall implement approved Wildlife mitigation plan at the cost of the project;**
vii. **Trees shall be felled wherever necessary under the strict supervision of the DFO concerned;**
viii. The User Agency shall construct retaining walls and check walls wherever required, by consulting the DFO concerned, at the project cost;
ix. The User Agency shall carryout avenue plantation and its maintenance on sides of the road at the cost of the project;
x. Construction of culverts / bridges, if any, over the natural streams/rivers/canals shall be done in such a manner that it does not hamper the natural course of water, does not give rise to water-logging, and also does not hamper movement of wild animals;
xi. Roadside cuttings and fillings which require engineering support shall be provided as per the instructions of the DFO concerned so as to stabilize the soil;
xii. The dug out material / overburden shall be dumped outside the forest area. Storage of any material shall not be done in the forest area;
xiii. The State Forest Department shall ensure settlement of eligible RoFR holders as per the rules/regulation as per the R&R Scheme;
xiv. The layout plan of the shall not be changed without the prior approval of the Central Government;
xv. The User Agency shall provide fire wood preferably alternate fuel to labourers working at the site to avoid damage/tree felling and no labour camp shall be established inside the forest area;
xvi. Disturbance shall be kept minimum by creating labour camps outside the forest area as far as possible and it shall be the responsibility of the User Agency to ensure that the labourers & staff engaged in execution of work do not destruct nearby forest flora & fauna;
xvii. The total forest area utilized for the project shall not exceed **65.95 ha** and the forest area diverted shall not be used for any purpose other than those shown in the diversion proposal.
xviii. The forest land proposed for diversion shall under no circumstances be transferred or sublet to any other agency, department or person without prior approval of the Central Government;
xix. The User Agency and the State Forest Department shall ensure compliance to provisions of the all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project;

xx. Any other conditions that the Central Government or Regional Office may impose from time to time in the interest of afforestation, conservation and management of flora and fauna in the area, shall be complied by the User Agency;

xxi. In the event of failure to comply with any of the above conditions the User Agency is liable for penal action as per the rules / guidelines issued under FCA, 1980;

xxii. Violation of any of these conditions will amount to violation of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and action would be taken as prescribed under the Act, Rules and Guidelines relevant.

6. The Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh, shall take further necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G. ANANTHA RAMU
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Principal Chief Conservator
of Forests & Head of Forest Force,
Andhra Pradesh, Mangalagiri,
Guntur District.

Copy to:
The Inspector General of Forests,
ROHQ, MoEF&CC, Indira Paryavaran Bhavan,
Jor Bagh Road, Aliganj, New Delhi – 110 003.

The Assistant Inspector General of Forests (Central),
GoI, MoEF&CC, Sub-office at Vijayawada of
Regional Office, Chennai, Green House Complex,
Gopal Reddy Road, Vijayawada – 520 010.

The Regional Officer,
MoRTH, Rajamarg Bhavan,
Punnammithota, Vijayawada-520010.

SF/SC

//FORWARDED :: BY ORDER//

SECTION OFFICER